

## The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

**Plaintiff,**

V.

ONE (1) 2003 MERCEDES BENZ C5, WITH  
WASHINGTON LICENSE PLATE 273VMR,  
and VIN WDBTJ75J83F010876.

ONE (1) 18K GOLD JUVENIA  
WRISTWATCH with serial number 1329037,

**TWO (2) GOLD MEN'S RINGS WITH  
DIAMOND INLAY,**

and

**ONE (1) GOLD AND DIAMOND MEN'S  
BRACELET,**

### Defendants.

NO. C10-344 RJB

**FINAL JUDGMENT OF  
FORFEITURE AS TO ONE (1)  
18K GOLD JUVENIA  
WRISTWATCH WITH SERIAL  
NUMBER 1329037, TWO (2)  
GOLD MEN'S RINGS WITH  
DIAMOND INLAY, and ONE (1)  
GOLD AND DIAMOND MEN'S  
BRACELET**

On March 2, 1010, Plaintiff, United States of America, filed its Verified Complaint for Forfeiture In Rem against One (1) 2003 Mercedes Benz C5, with Washington license plate 273VMR and VIN WDBTJ75J83F010876, One (1) 18K Gold Juvenia Wristwatch with serial number 1329037, Two (2) Gold Men's Rings with Diamond Inlay, and One (1) Gold and Diamond Men's Bracelet, pursuant to 18 U.S.C. § 981(a)(1)(C) and 18 U.S.C. § 1594(d)(2), for violations of 18 U.S.C. §§ 1591(a)(1) and 1591(b)(1), and

1 pursuant to 18 U.S.C. § 981(a)(1)(C) and 18 U.S.C. § 2428(a)(2) for violations of 18  
 2 U.S.C. § 2421 and 18 U.S.C. § 2423.

3 On April 6, 2010, the United States filed a Notice of Complaint for Forfeiture In  
 4 Rem in which all interested persons were advised to file their claims pursuant to  
 5 Supplemental Rule G(5) of the Federal Rules of Civil Procedure with the Clerk of the  
 6 Court within thirty (30) days after the date of publication and to serve their Answers to  
 7 the Complaint within twenty (20) days after filing a claim.

8 Notice of the forfeiture action was also available on the [www.forfeiture.gov](http://www.forfeiture.gov)  
 9 website for at least 18 hours per day between March 9, 2010 and April 7, 2010. See  
 10 Docket No. 7. All interested persons were advised to file their claims pursuant to  
 11 Supplemental Rule G(5) of the Federal Rules of Civil Procedure with the Clerk of the  
 12 Court within sixty (60) days after the first date of publication and to serve their Answers  
 13 to the Complaint within twenty (20) days after filing a claim.

14 On April 21, 2010, Jessica Vianez, *Pro Se*, filed a claim stating her interest in the  
 15 above captioned defendant vehicle.

16 On November 3, 2010, the United States sent, via certified and regular mail, the  
 17 Verified Complaint for Forfeiture In Rem and Notice of Complaint for Forfeiture In Rem  
 18 to Juan Vianez at the Sea Tac Federal Detention Center in Seattle, Washington. The  
 19 mailing was conspicuously labeled, “Legal Mail - Open in Presence of Inmate.” The  
 20 Certified Mail Return Receipt No. 7010 0290 0002 1964 3187 indicates delivery to Juan  
 21 Vianez at the Sea Tac Federal Detention Center in Seattle, Washington, on November 5,  
 22 2010.

23 On November 3, 2010, the United States sent, via certified and regular mail, the  
 24 Verified Complaint for Forfeiture In Rem and Notice of Complaint for Forfeiture In Rem  
 25 to Juan Vianez-Diaz, Sr. at the Coyote Ridge Corrections Center in Connell, Washington.  
 26 The mailing was conspicuously labeled, “Legal Mail - Open in Presence of Inmate.” The  
 27 Certified Mail Return Receipt No. 7010 0290 0002 1964 3170 indicates delivery to Juan  
 28

1 Vianez-Diaz, Sr. the Coyote Ridge Corrections Center in Connell, Washington on  
2 November 5, 2010.

3 No claim to the above captioned defendant vehicle or jewelry was filed by Juan  
4 Vianez and Juan Vianez-Diaz, Sr. or any other unknown person and no answer to the  
5 complaint was filed by Juan Vianez and Juan Vianez-Diaz, Sr. or any other unknown  
6 person. The time allowed for filing a claim has expired.

7 On December 28, 2010, the Court entered an Order of Default, pursuant to Rule  
8 55(a) of the Federal Rules of Civil Procedure, against Juan Vianez-Diaz, Sr., Juan Vianez,  
9 and any unknown persons or entities who have failed to plead, answer, or otherwise  
10 submit a claim as to the above-captioned defendant property.

11 On January 4, 2011, the Court entered an order approving a stipulated settlement  
12 agreement between the United States and Jessica Vianez, *Pro Se*, in which the United  
13 States stipulated and agreed to the return of One (1) 2003 Mercedes Benz C5, with  
14 Washington license plate 273VMR and VIN WDBTJ75J83F010876 and Jessica Vianez,  
15 *Pro Se*, in turn, stipulated and agreed to the forfeiture of the above listed defendant  
16 jewelry.

17 Now, therefore, on Motion of the Plaintiff, the United States of America, for a  
18 Judgment of Forfeiture as to the One (1) 18K Gold Juvenia Wristwatch with serial  
19 number 1329037, Two (2) Gold Men's Rings with Diamond Inlay, and One (1) Gold and  
20 Diamond Men's Bracelet to the United States of America, it is hereby

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1 ORDERED, ADJUDGED and DECREED as follows:

2       1. This Court has jurisdiction over this action under Title 28, United States  
3 Code, Sections 1345 and 1355. This Court has venue pursuant to Title 28, United States  
4 Code, Section 1395.

5       2. The defendant jewelry, more particularly described as One (1) 18K Gold  
6 Juvenia Wristwatch with serial number 1329037, Two (2) Gold Men's Rings with  
7 Diamond Inlay, and One (1) Gold and Diamond Men's Bracelet, are hereby forfeited to  
8 the United States of America and no right, title or interest in the above-described  
9 defendant jewelry shall exist in any other party.

10      3. The United States Department of Treasury, Internal Revenue - Criminal  
11 Investigation and/or its agents and representatives shall dispose of the above-referenced  
12 defendant forfeited jewelry in accordance with the law.

13      4. The Clerk of the Court shall deliver three (3) "raised seal," certified copies  
14 of the Judgment of Forfeiture to the United States Attorney's Office in Seattle.

15                     DATED this 12<sup>th</sup> day of January, 2011.

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18                     Robert J Bryan  
19                     United States District Judge

20                     Presented by:  
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22                     s/James M. Lord  
23                     JAMES M. LORD  
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